7627 Old Receiver Road
Frederick, Maryland 21701

July 17, 1983

Congressman Glenn English
House of Representatives
Washington, D.C. 20515

Dear Congressman English:

I appreciate the forthrightness of your confession, whether or not intended, that the Congress, you and your staff have abdicated your responsibilities.

You conclude your letter of the 12th by saying of your subcommittee that "We do not have the resources to investigate every FOIA complaint that comes to our attention."

While I believe there is another explanation - that all of you are afraid to tangle with the Department of Justice and the FBI, particularly not over their felonies - I take the time to address not the "every" complaint of your letter but the information I gave you, with the promise of more and an already proven long and undeviating official record of it, of nonstop official mendacity that not uncommonly includes perjury.

Are you telling me that "<u>every</u> FOIA complaint that comes to (y)our attention <u>is of this character</u>?

If so, what in the world does your subcommittee <u>really</u> do about FOIA, its responsibility?

I'm an old man, I'm unwell, I have no salary, least of all from public money, I make out on minimal Social Security, but I do try to meet my responsibilities. One way is by informing you and your staff. Another is by great effort in defending FOIA, not only because it is the law of the land but because of the kind of law it is, what it means and can mean, because of its importance and uniqueness in our concept of freedom and self-government.

I'm also a first-generation American, born here because my parents fled a tyranny, regardless of the danger, cost and effort that meant. I am not unmindful of what I inherited by being born here and I look back on 70 years that include service in the executive branch and in the Congress without recalling a single time that I did "not have the resources to" meet my obligations, to do my job. Perhaps we have changed much as a nation and as people since then, but it was not unusual for me and others voluntarily to work enormous amounts of overtime, unpaid and without thought of payment.

Of course, that was the time of "the Great Depression," and many if far from all of our problems were tangible. But we also faced corruption, self-seeking, dishonesty and bloody violence. In confronting these problems, we did

overcome some of them, we did better society and preserve freedoms and each one of us, no matter how seemingly insignificent his job, in some measure did his part.

Today we face great problems of a different nature. Domestically, we face problems of increasing dishonesty and overt illegalities in government. When in government there is dishonesty that includes felonies, that is always serious; but when these abuses impinge upon the right of the people to know, they endanger our freedoms, our concept of society and self-government, and they become part of an authoritarianism that is both self-perpetuating and truly subversive.

There is a vast difference in degree between the abuses I called to your attention and the Czar's Cossacks, spearing and swording Jewish children as acts of patriotism because the national mind was inflamed by such infamous forgeries of the secret police as "The Protocols of the Learned Elders of Zion." But in principle they are the same, as in principle there is no basic difference between the abuses of our national police and intelligence agencies and the frightful short-of-murder horrors of the Gestapo and the KGB.

You and your staff do not, I am certain, look at this as I do. You work full days, the hours for which you believe you are paid, tell yourselves you earned your pay, and you ignore what remains unmet of your responsibilities, for all the world as though you did not solicit and accept responsibilities other than - different and greater than - those who work at an hourly rate in factories.

I am not telling you that because I worked around the clock, not infrequently not leaving my Senate office for four and five days at a time, to meet my responsibilities that you (plural) ought; or that because my wife (and this is how I met her) volunteered to work without pay after she finished her work on another committee that everyone else ought; or even that you have no other responsibilities to meet. But I am saying that those who do solicit and accept responsibilities ought make a better effort to meet them than your letters reflect.

Ought also be more concerned and doing something about the growing authoritarianism in government that is subverting our system of society and its freedoms that distinguished us in the past and in concept.

Instead, you tell me that open contempt for the Congress and the law of the land is an "every" or normal "complaint" that exceeds your "resources." That felonies are run-of-the-mill "complaints." That other overt illegalities are, too.

And that being offered proven cases, in the plural, in which your work is already largely done for you, done under oath and subject to both refutation and punishment if untrue, is also? This is "every" day in your Congress and on your subcommittee?

Official threats to throw a citizen in jail if he refuses to be part of and help in these illegalities, if he refuses to accept nullification of

the law of the land, of that boasted-of right of the people to know, this is "every" day too in the work and "investigations" of your subcommittee?

How strange nothing at all like any of this has been reported!

I do not intend to offend or insult you and your staff and I do not take this additional time to indulge personal piques.

I do intend to try to get you to think about what you said and what it means, what that means to the nation. And what it says of the Congress and public service. And whether or not real and meaningful freedoms can survive a system that complacently watches these freedoms erode under the pressures of errant officialdom and is content to do nothing at all about it.

If you and your staff do not meet these responsibilities - do at least try to do something - is there anyone else with both the obligation and the authority who can?

We all have promises to keep and miles to go before we sleep. We all owe something more than pretended self-justification in payment for what we inherited on birth in or immigration to this land. We all do have those "resources" with which we were born and those that we developed as we grew. Those in Congress have their own special "resources" as they also have the unique responsibilities they sought.

You and your staff do not lack "resources." What you lack is the willingness to fight a fight you know can be hard and costly. If your honesty had extended to this admission, I'd not have written you further because that is a harsh reality and any decision or judgment is uniquely personal.

I'm sorry that, perhaps unthinkingly, perhaps on wrong advice, you elected to demean yourself and insult my intelligence by telling me that what I called to your attention is run-of-the-mill and that you lack the physical resources to do anything about it.

If, as I've heard, you are one of the more concerned Members, what does this say of the condition and future of your society?

Sincerely,

Harold Weisberg